

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
OCALA DIVISION**

**DIANE T. ROGERS,**

**Plaintiff,**

**v.**

**Case No: 5:21-cv-164-CEM-PRL**

**MINNESOTA LIFE INSURANCE  
COMPANY, FRANKLIN MADISON  
GROUP, LLC, FINANCIAL  
SERVICES ASSOCIATION and  
REGIONS BANK,**

**Defendants.**

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**ORDER**

This matter is before the Court upon referral of Plaintiff's Supplemental Response to Order to Show Cause and Unopposed Motion to Dismiss Claims Against Franklin Madison Without Prejudice. (Doc. 45). Previously, the Court ordered Plaintiff to show cause why the case should not be dismissed due to lack of subject matter jurisdiction due to Plaintiff's failure to adequately allege the citizenship of Defendants, including Franklin Madison Group, LLC. (Doc. 24). Plaintiff recites that, despite conducting jurisdictional discovery, she has been unable to establish the citizenship of Franklin Madison Group, LLC. Consequently, Plaintiff intends to drop her claims against Franklin Madison Group, LLC as a "practical solution" to the jurisdictional issue, as they are not an indispensable party. Plaintiff therefore requests leave to file an amended complaint that drops Franklin Madison as a Defendant and recites that the request is unopposed.

Accordingly, upon due consideration, Plaintiff's motion (Doc. 45) is granted to the limited extent that Plaintiff shall have leave to file an amended complaint on or before

February 10, 2022. The Court expressly defers to the district judge on all other issues addressed in the motion (Doc. 45), including the jurisdictional issues and whether the Court's Order to Show Cause has been discharged.

**DONE** and **ORDERED** in Ocala, Florida on January 20, 2022.



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PHILIP R. LAMMENS  
United States Magistrate Judge

Copies furnished to:

Counsel of Record  
Unrepresented Parties